# Saint Paul Planning Commission City Hall Conference Center 15 Kellogg Boulevard West

## Minutes June 5, 2009

A meeting of the Planning Commission of the City of Saint Paul was held Friday, June 5, 2009, at 8:30 a.m. in the Conference Center of City Hall.

**Commissioners** Mmes. Donnelly-Cohen, Morton; Smitten, Thao, Wencl; and

**Present:** Messrs. Alton, Barrera, Bellus, Commers, Gordon, Johnson, Kramer, Margulies,

Nelson, Spaulding, and Ward.

**Commissioners** 

Mmes. \*Faricy, \*Lu, \*Porter and Messrs. \*Goodlow, and \*Schertler

**Absent:** 

\*Excused

**Also Present:** Donna Drummond, Planning Administrator; Wendy Lane, Department of Safety

and Inspections; Allan Torstenson, Lucy Thompson, Patricia James, Penelope Simison, Emily Goodman, Tia Anderson, and Sonja Butler, Department of

Planning and Economic Development staff.

I. Approval of minutes May 22, 2009.

<u>MOTION</u>: Commissioner Donnelly-Cohen moved approval of the minutes of May 22, 2009. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.

#### II. Chair's Announcements

Chair Alton announced that Sunday is the Grand Old Day celebration and if you need a place to rest stop by 951 Grand Avenue, Chair Alton's place of business.

Chair Alton also announced that Sholom Home on Seventh Street is opening and there will be an open house on Sunday, June 28<sup>th</sup>. On Sunday, June 23, Thomas L. Friedman, a Saint Paul native and world-renowned New York Times columnist, is coming to the Sholom Green fundraiser for the Sholom Foundation sponsored by Lindquist and Vennum. Flyers were distributed.

### **III.** Planning Administrator's Announcements

Donna Drummond introduced Tia Anderson, a new intern from the Humphrey Institute. She will be with PED through the summer and the next school year.

At the City Council on May 27<sup>th</sup> there was a resolution requesting that the Planning Commission and Heritage Preservation Commission prepare a report and make a recommendation to the City Council within six months on neighborhood conservation districts. PED requested this be laid over to June 17<sup>th</sup> so there could be further discussion with Councilmembers about staff resources needed for such a study and the requested timeline. On June 3<sup>rd</sup> the City Council approved the Summit-University District 8 Plan Summary.

IV. PUBLIC HEARINGS: Residential Design Standards Zoning Study – A continuation from May 22, 2009, Planning Commission meeting.

(Luis Pereira, 651/266-6591 and Allan Torstenson, 651/266-6579)

Chair Alton announced that the Saint Paul Planning Commission is continuing a public hearing from the May 22, 2009, Planning Commission meeting on the Residential Design Standards Zoning Study. Notice of the public hearing was published in the Legal Ledger on May 11, 2009, and was mailed to the citywide Early Notification System list and other interested parties.

Chair Alton read the rules of procedure for the public hearing.

The following people spoke.

- 1. Mr. Eric Lagerquist, 2016 Palace Avenue, Saint Paul, President of the American Institute of Architects (AIA), St. Paul Chapter. Mr. Lagerquist submitted a letter from AIA St. Paul summarizing comments they have received from their members. He noted that good design is very subjective, and people have varied tastes. Ambiguity in the proposed design standards leaves a lot to interpretation, which will be a challenge for the Planning Commission in enforcement of the standards. Their greatest concern is about how the proposed standards will be interpreted and enforced, which could be a cumbersome, costly, time-consuming and adversarial process. They are also concerned about the potential impact of the proposed design standards on sustainability and "green" design. Creativity and innovation in design needs to be OK.
- 2. Ms. Kerry Antrim, District 6 Planning Council, 213 Front Ave., Saint Paul. The District 6 Planning Council supports the design standards. A few years ago the Eastside and North End had the "beige houses" with only one or two windows. About a month ago the Eastside Review ran the headline, "Dude, Where's My Door?" about a house across the street from North End Elementary. They are concerned about all the vacant houses being torn down, leaving small vacant lots where new houses could be built. They want to retain neighborhood individuality. New houses need to compliment the individuality of the neighborhood. District 6 has design guidelines they worked out with SPARC that were adopted as addendum to their area plan summary in 2005, which should not be superseded.
- 3. Ms. Linda Jungwirth, 1111 Abell Street, Saint Paul. Ms. Jungwirth is a member of the Tri Area Block Club, which has submitted written comments. She noted that the North End, Eastside and Frogtown are the neighborhoods with the highest number of vacant lots due to tear downs, and most vulnerable to quick, cheap infill housing. They need good, tight design standards to protect them. She expressed concern about use of the word "should." Nothing should be left to interpretation. Not everything has to look the same, but deviation can be addressed with variances. The standards would allow a sideway house if it is connected with a walkway. The standards should be revised so that nothing is open to interpretation, so that they can't be interpreted differently from one case to another.
- 4. Mr. Chuck Repke, District 2 Community Council, 1961 Sherwood Ave., Saint Paul. Mr. Repke read and submitted a letter from the District 2 Community Council, which supports the

design standards. They are particularly concerned about infill houses with no windows or doors that face the street.

5. Mr. Kevin Flynn, AIA, LEED AP, EcoDEEP Architects, 2199 Pinehurst Avenue, Saint Paul. Mr. Flynn is President of the US Green Building Council, Mississippi Headwaters Chapter. He submitted a written copy of his testimony, which was distributed to Planning Commissioner and is on file. Paragraph (b) is particularly problematic. What do the words "traditional" and "relate to" mean? Who decides? These seem to issues of style rather than of quality and performance in our design. There are plenty of examples of poorly designed "traditional" buildings in the city. Paragraph (b) could take away opportunities to make houses more energy efficient and environmentally responsible, and reduce potential for sustainable, high quality design. It could reduce ability to properly orient buildings for passive and active solar design. It could lead to increased building footprints and less permeable surface, contributing to more stormwater discharge. We need to promote creativity in addressing these issues rather than stifling it. He thanked the commission in advance for all the time they would spend reviewing their nonconforming projects.

Commissioner Ward asked how to use design standards to ensure design quality.

Mr. Flynn responded that we can't get quality design by blindly following a checklist about roof type or size of windows. Rather, this is a question about how to review, evaluate, and judge each project in light of its unique circumstances and needs. But there is limited staff time and expertise for holistic review of every building for aesthetics and quality of design, and tastes differ.

Commissioner Nelson asked questions regarding access to sunlight and the screening of mechanical equipment.

Mr. Flynn said that access to solar radiation is very important in achieving sustainability and that some cities provide protection of solar access. He also stated that screening of some types of mechanical equipment and trash areas is desirable, but that he believed other portions of the zoning ordinance cover such screening.

6. Mr. Michael Roehr, 2146 Juliet Avenue, Saint Paul, read and submitted a written copy of his testimony, which was distributed to Commissioners and is on file. He objected to ambiguity and lack of objective metrics for assessing compliance, and skewed priorities, particularly with respect to paragraph (b), which he characterized as worse than useless. It is an "I know it when I see it" standard that will result in unpredictable, arbitrary, "because I say so" enforcement, with obvious problems. Rather, we need clear, concise, objective, measurable, easy to understand and administer requirements. We should steer clear of fruitless aesthetic debates. Our neighborhoods should not be treated as a quaint and static museum of house styles, but rather as a living and evolving reflection of our changing needs and the way we live.

MOTION: Commissioner Wencl moved to close the public hearing, leave the record open for written testimony until 4:30 p.m. on Monday, June 8, 2009, and to refer the matter back to the Neighborhood Planning Committee for review and recommendation. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.

<u>District 9 Plan Summary</u> - Item from the Neighborhood Planning Committee. (*Kate Reilly*, 651/266-6618)

Chair Alton announced that the Saint Paul Planning Commission is holding a public hearing on the District 9 Plan Summary. Notice of the public hearing was published in the Legal Ledger on May 11 2009, and was mailed to the citywide Early Notification System list and other interested parties.

Chair Alton read the rules of procedure for the public hearing. The following people spoke.

1. Ms. Becky Yust, 256 Goodrich Avenue, Saint Paul, was the District 9 committee chair for their plan. Work on the plan started in 2004. It was adopted by the District Council in 2006. The previous District 9 plan was completed in 1983. Ms. Yust explained that West 7<sup>th</sup> is the main artery through the neighborhood. Instead of using West 7<sup>th</sup> as a divider as in the previous plan, the new plan uses it to pull the neighborhood together as a seam. The new plan has recommendations for housing, economic and community development, the mix of land uses, historic preservation, environmental quality and circulation improvements. The main recommendations for housing include preserving and improving the existing housing stock, adding new units to maximize access to transit, and providing a mix of affordable housing options. Jobs and economic development are dependent on improving employment opportunities through environmentally friendly establishments along West 7<sup>th</sup> Street.

Ms. Yust said that meeting the needs of residents and employees, community centers, schools, places of faith and safety in parks were addressed. Their competitive advantage as a community is their history and geographic proximity to the Mississippi River, historic Fort Snelling and downtown Saint Paul. Developing mixed land uses while preserving the historic character are important in future planning. Planning for vehicles, pedestrians, public transit and bicycles must be integrated to encourage safe and energy efficient transportation.

<u>MOTION</u>: Commissioner Wencl moved to close the public hearing, leave the record open for written testimony until 4:30 p.m. on Monday, June 8, 2009, and to refer the matter back to the Neighborhood Planning Committee for review and recommendation. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.

## V. Zoning Committee

#### **NEW BUSINESS**

#09-067-951 Chai Lee – Rezoning from B3 General Business to TN2 Traditional Neighborhood. 1024 Ross Avenue between Cypress and Earl. (*Luis Pereira*, 651/266-6591)

<u>MOTION</u>: Commissioner Morton moved the Zoning Committee's recommendation to deny the rezoning.

Chair Alton requested a roll call vote. The reasons for denial are incorporated into the resolution.

<u>ROLL CALL VOTE</u>: The motion to deny the rezoning carried on a roll call vote of 11-3 (Kramer, Smitten, Thao) with 2 abstentions (Barrera, Margulies).

#09-067-959 Chai Lee – Variances of lot area (6,500 sq. ft. required, 5,062.5 sq. ft. proposed) and off-street parking (7 spaces required, 6 spaces proposed) for a 5-unit residential building. 1024 Ross Avenue between Cypress and Earl. (*Luis Pereira*, 651/266-6591)

<u>MOTION</u>: Commissioner Morton moved the Zoning Committee's recommendation to deny the variances. The motion carried unanimously on a voice vote.

#09-071-025 Kevin and Barbara Henry – Rezoning from OS Office-Service to RM2 Medium-density Residential. 1528 Grand Avenue between Saratoga and Snelling. (Sarah Zorn, 651/266-6570)

<u>MOTION</u>: Commissioner Morton moved the Zoning Committee's recommendation to approve the rezoning. The motion carried unanimously on a voice vote.

### VI. Comprehensive Planning Committee

Commissioner Morton attended the meeting saying that they discussed the plans for the decertification and recertification of small area plans and the comments from the public hearing.

### VII. Neighborhood Planning Committee

<u>Grand Avenue Special Sign District Amendments</u> – Resolution to approve amendments to the Grand Avenue Special Sign District. (*Emily Goodman*, 651/266-6551)

Emily Goodman reviewed the public hearing testimony. There were substantive comments about two things: dynamic display signs and portable signs. She explained the changes recommended by staff and the committee pertaining to portable signs based on the testimony. In order to allow portable signs in the public right-of-way there would need to be an amendment to Chapter 106 of the City Legislative Code, which is outside the purview of the Grand Avenue Special District Sign Plan. Staff anticipates moving forward with such an amendment in the near future.

<u>MOTION</u>: Commissioner Wencl moved the Neighborhood Planning Committee's recommendation to approve the resolution. The motion carried unanimously on a voice vote.

<u>District 2 Plan Update Summary</u> – Resolution recommending adoption of the District 2 Plan Summary as an addendum to the Saint Paul Comprehensive Plan. (*Penelope Simison*, 651/266-6554)

Penelope Simison said that the resolution clarifies the three issues that the committee discussed. Changes to the draft summary are incorporated into the committee recommendations.

<u>MOTION</u>: Commissioner Wencl moved the Neighborhood Planning Committee's recommendation to approve the resolution for the District 2 Plan Summary recommending that the City Council adopt it as an addendum to the Comprehensive Plan. The motion carried unanimously on a voice vote.

Commissioner Wencl announced that the next meeting will be on Wednesday June 10, 2009.

	No Report	
IX.	Task Force Reports	
	Commissioner Kramer announced that there will be additional tours at the 3M building site. These tours will focus on the second set of buildings that the Port Authority will acquire. Tours are on Monday June 15 <sup>th</sup> and Wednesday June 24 <sup>th</sup> from 5:00 p.m. to 6:30 p.m. An ewill be sent out with more information.	
Χ.	Old Business	
	None	
XI.	New Business	
	None	
XII.	Adjournment	
	Meeting adjourned at 9:45 a.m.	
Recorded and prepared by Sonja Butler, Planning Commission Secretary Planning and Economic Development Department, City of Saint Paul		
Respectfully submitted,		Approved
•		(Date)
Donna Drummond Planning Administrator		Marilyn Porter Secretary of the Planning Commission

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VIII. Communications Committee